

AFFIDAVIT

Your Affiant, Rande Reinhard Jr., being duly sworn, deposes and states:

Your Affiant, Rande Reinhard, is an officer or employee of the United States Department of Justice (DOJ), Drug Enforcement Administration (DEA) within the meaning of Section 878(a) of Title 21, United States Code, that is an officer who is empowered by law to conduct investigations, make arrests, and seize property for violations of Title 18, United States Code and Title 21, United States Code.

Affiant is a Special Agent (SA) for the United States Department of Justice, Drug Enforcement Administration (DEA), and has been so employed as a Special Agent (SA) since February 2008. During Affiant's employment with the DEA, Affiant has been assigned to the Detroit Field Division (DFD) in Detroit, Michigan the Cleveland District Office (CDO) in Cleveland, Ohio.

TRAINING AND EXPERIENCE

Your Affiant has been involved in the investigation of various individuals and organizations involved in the manufacturing, distribution, and use of controlled substances. Your Affiant has conducted surveillance operations and has become familiar with the methods used by individuals engaged in the manufacturing, trafficking, and use of controlled substances. Your Affiant received specialized training at the DEA Training Academy in Quantico, Virginia in regards to the identification of narcotic substances and the operation of drug trafficking organizations.

PROBABLE CAUSE

1. Since November 2014, Affiant and Affiant's colleagues in the narcotics law enforcement community have been receiving information regarding the drug trafficking activities of the ANGEL RIOS Drug Trafficking Organization (DTO).

2. This Affidavit is based in part upon the results of an ongoing Title III investigation targeting the ANGEL RIOS cocaine trafficking organization. The Title III investigation consisted of several court-authorized

interception of wire and electronic communications on ANGEL RIOS' phone, and others in the DTO.

3. During the course of this investigation, law enforcement agents and officers have received corroborated information regarding members of the RIOS DTO which distributed large amounts of cocaine in the Cleveland, Ohio area.

4. On multiple occasion during the Title-III investigation, Affiant learned that customers would contact RIOS to order narcotics and RIOS would direct them to go to El Torito Taqueria Bar in Lakewood, Ohio. RIOS is the owner/manager of the bar. Shortly after the conversations, via remote video surveillance, agents would observe RIOS exit his home, or leave his location, and proceed to the "El Torito Taqueria Bar" to conduct the narcotics transaction.

5. Throughout the course of this investigation, Agents learned that RIOS either directly sold cocaine to individuals, or he directed other individuals to do so on his behalf. RIOS did this from the restaurant, his car, coming to or from his home, and from several other "stash" locations throughout Cleveland.

6. For example, On November 30, 2018, at approximately 4:59 p.m., ANGEL RIOS placed an outgoing call to Jaime Hernandez De La Paz. RIOS indicated during the conversation that he (RIOS) wanted Hernandez De La Paz to "check on how much is left" (meaning the quantity of drugs they had left to sell). RIOS told Hernandez De La Paz that he (RIOS) had an appointment to get a haircut at 5:30 p.m. RIOS again could be overheard directing Hernandez De La Paz to determine the "quantity" they had left (meaning the quantity of drugs available for sale). Hernandez De La Paz replied to RIOS that he (Hernandez De La Paz) would do it later because he was already on his way to the gym. RIOS stated to Hernandez De La Paz that he (RIOS) would go himself and determine the remaining quantity.

7. At approximately 6:57 p.m., RIOS' white GMC arrived at 4222 Hodgson Avenue, Cleveland, Ohio, and parked in the driveway. The white GMC appeared to be still running while the vehicle lights remained on. Agents observed this via the remote video surveillance.

8. At approximately 7:07 p.m., an unidentified male exited the side door of 4222 Hodgson Avenue, Cleveland, Ohio, proceeded to walk along the sidewalk toward West 44th Street out of view of remote video surveillance. A short time later, another unidentified male exited the residence and entered the front passenger's side door of the GMC Acadia. The passenger door closed for several seconds before the individual exited the vehicle and returned to the residence. Moments later, RIOS exited the residence, entered the front driver's side of the white GMC, and departed the area.

9. Based on this, Affiant believed that 4222 Hodgson Avenue, Cleveland, Ohio is one of RIOS' stash locations, in addition to being a place where drug customers were served. RIOS indicated in the above described intercepted call that he (RIOS) would stop by and check the remaining quantity of suspected cocaine, then immediately went to 4222 Hodgson Avenue, Cleveland, Ohio.

10. On January 28, 2019, members of the Cleveland Drug Enforcement Administration (DEA), along with the Ohio State Highway Patrol (OSHP), conducted a drug interdiction traffic stop operation outside 4222 Hodgson Avenue, Cleveland, Ohio.

11. At approximately 7:14 p.m., investigators observed a dark-colored Jeep pull into the driveway of 4222 Hodgson Avenue, Cleveland, Ohio. A female exited the Jeep. As the female was exiting, investigators observed a male in the front passenger seat of the vehicle and possibly a small child in the back seat. The female went to the side door of 4222 Hodgson Avenue, Cleveland, Ohio and appeared to knock. After several seconds, the female entered the residence.

12. At approximately 7:19 p.m., the female exited 4222 Hodgson Avenue, Cleveland, Ohio and walked back to the Jeep. Shortly after, the vehicle reversed out of the driveway and traveled west on Hodgson Avenue. TFO Jopek broadcasted a description of the vehicle to other investigators. SA Moses, DEA CDO, was able to observe the Jeep as it turned onto West 44th Street from Hodgson Avenue. SA Moses broadcast the vehicle registration as Ohio: HAR8023. TFO Jopek conducted a search in a law enforcement database. TFO Jopek learned that the vehicle is registered Katherine L. Buchanan, 20679 Applegate Road, Mayfield Heights, Ohio 44137.

13. Investigators maintained visual surveillance of the Jeep during the course of the mobile surveillance. The Jeep travelled West on Clark Avenue, where it appeared to slow down before pulling into a closed business, and shut its lights off. After several seconds, the Jeep pulled back into the road way and travelled east on Clark Avenue. Affiant believes the drive conducted a counter surveillance move to deter any law enforcement.

14. Investigators continued to maintain mobile surveillance as the vehicle as it traveled east on Clark Avenue. Once in the area of Clark Road and Fulton Road, the vehicle turned south on Fulton Road from Clark Road without using a directional signal. At approximately 7:35 p.m., OSHP conducted a traffic stop of the Jeep at the intersection of Fulton Road and Newark Avenue. OSHP advised the driver of the Jeep was identified as the registered owner, a female. OSHP recovered a small amount of cocaine from the female.

15. On January 31, 2019, U.S. Magistrate Judge Thomas M. Parker signed a federal search warrant for RIOS' residence, located at 3578 West 58th Street, Cleveland, Ohio 44102.

16. On February 01, 2019, DEA Cleveland, with the assistance of EDGE SWAT Team, and the Cuyahoga County Narcotics Unit, executed a federal search warrant at 3578 W. 58th Street, Cleveland, Ohio. During the search, Migdalia PABON was present along with Angel RIOS.

17. Agents issued RIOS his Miranda warnings, and spoke with him. During the conversation, RIOS admitted to trafficking cocaine. Affiant asked RIOS if there were any narcotics, firearms, or large amount of currency in the house. He stated "no." When asked by agents if there were any kilograms in the house he said "he doesn't mess with the big stuff anymore, just small." Affiant advised RIOS that agents were simultaneously executing a search warrant at the El Torito Taqueria Bar. In response, RIOS said "that's all I have, whatever is there."

18. Items that were seized at 3578 W. 58th Street, Cleveland, Ohio include: several phones, bank cards, miscellaneous document for 4222 Hodgson Avenue, Cleveland, Ohio, and miscellaneous documents for the El Torito Taqueria Bar.

19. On January 31, 2019, U.S. Magistrate Judge Thomas M. Parker signed a federal search warrant for the El Torito restaurant, located at 1572 West 117th Street, Lakewood Ohio, 44107.

20. On February 1, 2019, Agents executed the search warrant on the restaurant. Upon searching the facility, and Hernandez's car, agents located a large stash of currency, a digital scale with residue, a Taurus .9mm PT 809 Handgun, Serial number TC028566, two loaded magazines, approximately 100 grams of cocaine, and other drug paraphernalia. Jaime Hernandez De la Paz was present at the restaurant at the time of the search. The firearm was found with the cocaine. Hernandez claimed the firearm and the drugs were his. Agents also recovered the phone Hernandez used to make calls to Rios that were recorded during the investigation.

21. On January 31, 2019, U.S. Magistrate Judge Thomas M. Parker signed a federal search warrant for 4222 Hodgson Avenue, Cleveland, Ohio 44109.

22. On February 1, 2019, at approximately 8:50 a.m., investigators executed the search warrant at 4222 Hodgson Avenue, Cleveland, Ohio 44109. Upon making entry, investigators encountered Felix Cruz Jr., Jennifer Andino (girlfriend), and a small child, without incident. Upon searching the residence, investigators located and seized several items of evidentiary value to include approximately 970 gross grams of suspected marijuana, one Glock Model 19 (not loaded), bearing serial number NPK-106, two loaded Glock magazines, a drug ledger, miscellaneous ammunition, and suspected drug proceeds.

23. During questioning, Cruz informed investigators that he had marijuana stored in the kitchen cabinet and a gun inside his bedroom closet. He admitted both the marijuana and gun were his. He admitted he was a convicted felon and was aware that he was not allowed to possess a weapon. He said that he was more worried about protecting himself and his family than getting caught by law enforcement with the gun. He initially told investigators he only had \$300 inside the house. When asked if he had any other money, he said no. During the search, investigators located two large bundles of U.S. Currency hidden inside the floor vent in a spare bedroom.

24. Agents confirmed that Cruz has been convicted of a felony punishable by more than one year, namely Possession of Drugs F2, under Ohio Revised Code 2925.11. Agents are also aware that the firearm and ammunition found at the Hodgson residence was manufactured outside the State of Ohio.

CONCLUSION

Based upon the above listed facts and circumstances, Affiant has probable cause to believe, and does believe Angel Rios, Felix Cruz, and Jaime Hernandez De La Paz did knowingly and intentionally conspire to possess with intent to distribute cocaine in the Northern District of Ohio, Eastern Division, in Violation of Title 21 USC Sections 846, 841(a)(1) and (b)(1)(C). Affiant further has probable cause to believe that Felix Cruz unlawfully possessed a firearm, in violation of Title 18, USC Section 922(g)(1). Affiant therefore requests that Arrest Warrants be issued against Rios, Hernandez, and Cruz.

S/Rande Rinehard, Jr.

Rande Rinehard, Jr.
Special Agent
Drug Enforcement Administration

Sworn to via telephone after
submission by reliable electronic
means. Crim.Rules. 4.1; 41(d)(3)

A handwritten signature in black ink, appearing to read "Thomas M. Parker".

Thomas M. Parker

United States Magistrate Judge
1:23 PM, Feb 4, 2019